

EXHIBIT A

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
McMANIMON, SCOTLAND & BAUMANN, LLC 75 Livingston Avenue, Second Floor Roseland, New Jersey 07068 (973) 622-1800 Anthony Sodono, III (asodono@msbnj.com) Sari B. Placona (splacona@msbnj.com) <i>Proposed Counsel for Daryl Fred Heller, the Chapter 11 Debtor and Debtor-in-Possession</i>	
In re:	Chapter 11
DARYL FRED HELLER,	Case No. 25-11354 (JNP)
Debtor.	

**NOTICE OF REMOVAL PURSUANT TO
28 U.S.C. § 1452, FED. R. BANKR. P. 9027, AND D.N.J. LBR 9027-1**

McManimon, Scotland & Baumann, LLC, proposed counsel for Daryl Fred Heller, the Chapter 11 debtor and debtor-in-possession (the “Debtor”), filed the above matter in the United States Bankruptcy Court for the District of New Jersey, and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Reference to the Bankruptcy Court Under Title 11 of the United States District Court for the District of New Jersey, as amended on September 18, 2012; and venue being proper in this Court pursuant to 28 U.S.C. § 1408, and the Debtor hereby gives this notice of removal (the “Notice of Removal”) to the Court pursuant to 28 U.S.C. § 1452, Fed. R. Bankr. P. 9027, and D.N.J. LBR 9027-1, for the action captioned *Deerfield Capital, LLC v Accordo, L.P., et al.*, Case No. 25-00610, commenced in the Court of Common Pleas, Lancaster County, Pennsylvania (the “PA State Court Action”). In support thereof, the Debtor respectfully states as follows:

PROCEDURAL BACKGROUND

1. On February 10, 2025 (the “Petition Date”), the Debtor filed a petition for relief under Chapter 11, title 11 of the United States Code.

STATEMENT OF FACTS

2. The Debtor's home address is 909 Greenside Drive, Lititz, Pennsylvania 17543.
3. The Debtor owns a principal asset, i.e., real property located at 7605 Pleasure Avenue, Sea Isle, New Jersey 08243 (the "Principal Asset").
4. Pursuant to 28 U.S.C. § 1408, venue is proper in that the Debtor's Principal Asset is located in New Jersey.
5. Pursuant to the PA State Court Action, an Order for Preliminary Injunction and Order for Hearing was granted on February 7, 2025, which preliminarily enjoined and prohibited all defendants and judgment debtors therein from transferring any asset, property or item having value in excess of \$1,000 without approval of the court (the "Order"). The Order is annexed as Exhibit A. Although the Debtor is not a named defendant in the PA State Court Action, he is a "Judgment Debtor" as defined in the Petition for Preliminary and Permanent Injunctive Relief and for Supplementary Relief under Pennsylvania Rules of Civil procedure 3118 and 1533 to Enjoin Transfers and to Preserve Collateral (the "Petition"). The Petition defines Judgment Debtors as Heller Capital, Heller Investment and Daryl Heller and thus, the Debtor is subject to the Order.
6. Deerfield Capital, LLC ("Deerfield"), the plaintiff in the PA State Court Action, is a judgment creditor of the Debtor, who is seeking to execute on the Debtor's assets. The Debtor filed bankruptcy to stave off Deerfield's collection action(s) to protect his property and address all creditors' claims in an orderly and restructured manner. Deerfield also commenced an action on February 7, 2025, against the Debtor in the Superior Court of New Jersey, Chancery Division, Cape May County, bearing Docket No. CPM-C-000004-25.
7. The PA State Court Action (as it affects, among other assets, the Principal Asset) is related to the Debtor's bankruptcy case. Therefore, the PA State Court Action must be removed

to the United States Bankruptcy Court for the District of New Jersey.

8. The PA State Court Action described above is a civil action, other than a proceeding before the Tax Court or a civil action by a governmental unit to enforce the government unit's police or regulatory power, and one over which this Court has jurisdiction under the provisions of 28 U.S.C. § 1334(b). The PA State Court Action is one that may be removed to the United States Bankruptcy Court for the District of New Jersey.

9. This Notice of Removal has been properly filed with the clerk of the bankruptcy court pursuant to 28 U.S.C. § 1452, Fed. R. Bankr. P. 9027, and D.N.J. LBR 9027-1.

10. This Notice of Removal is timely under Fed. R. Bankr. P. 9027 and D.N.J. LBR 9027-1.

11. Upon removal, the proceeding constitutes a core matter pursuant to 28 U.S.C. § 157(b)(2)(A), (B) and (O).

12. If this matter is deemed to be non-core, the Debtor consents to entry of final orders or judgments by the Bankruptcy Judge.

Respectfully,

**McMANIMON, SCOTLAND
& BAUMANN, LLC**

*Proposed Counsel for Daryl Fred Heller, the
Chapter 11 Debtor and Debtor-in-Possession*

By: /s/ Anthony Sodono, III
Anthony Sodono, III

Dated: February 11, 2025

EXHIBIT A

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DEERFIELD CAPITAL, LLC
Deerfield Road
Lancaster, PA 17603,

Plaintiff

v.

Accordo, L.P.
415 N. Prince Street
Lancaster, PA 17603

Blackford Holdings, LLC
415 N. Prince Street
Lancaster, PA 17603

Blackford ATM Ventures, LLC
415 N. Prince Street
Lancaster, PA 17603

Blackford ATM Ventures Fund M, LLC
415 N. Prince Street
Lancaster, PA 17603

Blackford ATM Ventures Fund M II, LLC
415 N. Prince Street
Lancaster, PA 17603

Blackford ATM Ventures Fund M IV, LLC
415 N. Prince Street
Lancaster, PA 17603

Blackford ATM Ventures Fund M V, LLC
415 N. Prince Street
Lancaster, PA 17603

Blackford ATM Ventures Fund D, LLC
415 N. Prince Street
Lancaster, PA 17603

Brookfield Partners, L.P.
415 N. Prince Street
Lancaster, PA 17603

IN THE COURT OF COMMON PLEAS
LANCASTER COUNTY,
PENNSYLVANIA

CIVIL ACTION- LAW

Case No. 25-00610



PROthonary's OFFICE
LANCASTER, PA.

2025 FEB - 7 AM 9:52

FILED AND FILED

~~Lancaster County, Pennsylvania~~
~~Case 25-01038-JNP Doc 1 Filed 02/11/25 Entered 02/11/25 12:19:56 Desc Main Document Page 6 of 10~~

Cash Ventures IV, LLC
415 N. Prince Street
Lancaster, PA 17603

Choice Labs, LLC
4497 Phelps Drive
Jackson, MI 49202-2600

DataStaff Advisors, LLC
125 Emeryville Drive
Suite 330
Cranberry Township, PA 16066

Dobe Investment Group, LLC
415 N. Prince Street
Lancaster, PA 17603

DHQM3, LLC
415 N. Prince Street
Lancaster, PA 17603

GCC Management Company, LLC
2055 Crooks Road
Suite B
Rochester, MI 48309-3254

GCC Michigan Acquisitions, LLC
415 N. Prince Street
Lancaster, PA 17603

Glorious IL, LLC
415 N. Prince Street
Lancaster, PA 17603

Grandview Jets, LLC
c/o DDRB, LLC
415 N. Prince Street
Lancaster, PA 17603

Grizzly RE, LLC
415 N. Prince Street
Lancaster, PA 17603

Kansas Blackjack, LLC
415 N. Prince Street
Lancaster, PA 17603

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Lifted NY Corp.
415 N. Prince Street
Lancaster, PA 17603

Lyrical, LLC
415 N. Prince Street
Lancaster, PA 17603

Neo Manufacturing MA, LLC
365 Boston Post Road, Unit 184
Sudbury, MA 01776-3023

Pure Green, LLC
415 N. Prince Street
Lancaster, PA 17603

Raw Ventures, LLC
2055 Crooks Road
Rochester, MI 48309-3254

Tycoon I Operations, LLC
2055 Crooks Road, Suite B
Rochester, MI 48309-3254

Charlene Heller
909 Greenside Drive
Lititz, PA 17603

Ethan Heller
330 N. Lime Street
Lancaster, PA 17602

Taite Heller
909 Greenside Drive
Lititz, PA 17603

Defendants

**ORDER FOR PRELIMINARY INJUNCTION AND
ORDER FOR HEARING**

AND NOW, this 7th day of February, 2025 upon consideration of Plaintiff's Petition for
Preliminary and Permanent Injunctive Relief and for Supplementary Relief under Pa.R.C.P. 3118

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and 1533 to Enjoin Transfers and to Preserve Collateral (the "Petition"), and the accompanying papers, and it appearing to the Court that immediate and irreparable damage and injury will result to Plaintiff if this Preliminary Injunction is not issued before the case can be fully heard on its merits, that the Plaintiff has no adequate remedy at law and that greater injury will be done by refusing the injunction than in granting it, that the requested emergency injunction is GRANTED.

IT IS HEREBY ORDERED:

1. All Defendants and the Judgment Debtors are preliminarily enjoined and prohibited from transferring any asset, property or item having a value in excess of \$1,000, without approval of this Court;
2. ~~All Defendants and the Judgment Debtors are permanently prohibited and enjoined from transferring any asset, property or item having a value in excess of \$1,000 without approval of this Court.~~
3. Defendants and Judgment Debtors shall provide a full accounting and turnover of all records for the five-year period preceding the filing of the Complaint within a reasonable period of time as determined by this Court;
4. All Defendants and Judgment Debtors shall promptly appear for and participate in discovery, but in no event later than 30 days after the date of the order.
5. That any Defendants that have taken any action to request, direct or order any action that would set in motion anything that would be inconsistent with the general prohibitions in Paragraph 1 ~~and 2~~, shall immediately take action to make certain that any such action that would violate Paragraph 1 ~~and 2~~ does not take place.
6. That all others with notice of this Order are enjoined, pending a hearing scheduled as set forth below, from either acting in concert with Defendants as agents,

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representatives, affiliates, employees, or subcontractors of Defendants from transferring any assets related to any of the Judgment Debtors.

7. That this Preliminary Injunction shall continue in effect until further Order of this Court.
8. That this Order will be effective immediately upon presentation to this Court of security by Plaintiff as set forth in Pa.R.Civ.P. 1531(b)(2), in the amount of \$ 500,000.00.
9. That a hearing on Plaintiff's Petition for a Preliminary Injunction be and is hereby set for February 13, 2025, at 2:00 p.m. ~~xxxx~~ in Courtroom 2, Lancaster, Pennsylvania..
10. Plaintiff shall provide an update on the efforts to serve Defendants with this order in addition to the efforts made in Exhibit F.

BY THE COURT:



Leonard G. Brown, III, President Judge

ATTEST:  Audrey Conrad
Deputy



COPIES TO: ALBERT A. CIARI, III, ESQ.
BRIAN W. BISIGNANI, ESQ. / JOHN W. CROUMER, ESQ.
AND ALL DEFENDANTS ON NEXT PAGE

NOTICE OF ENTRY OF ORDER OR DECREE
PURSUANT TO PA. R.C.P. NO. 236
NOTIFICATION - THE ATTACHED DOCUMENT
HAS BEEN FILED IN THIS CASE
PROTHONOTARY OF LANCASTER CO, PA
DATE: 2-7-25

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